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USDC SDNY
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March 1, 2017

The Honorable Richard Berman
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, NY 10007

MEMO ENDORSED

RECEIVED
SDNY PROSECUTION
2017 MAR - 7 PM 4:00

S.D. OF N.Y.

Re: Federico Pignatelli v. Wally Shaykhoun et al.
Civil Action No.: 1:16cv - 09930 - RMB

Dear Judge Berman,

I am writing on behalf of myself and Immortal Model Management, operated by my wife, Svetlana Shaykhoun who is a US Citizen and resident citizen of New York City.

Svetlana Shaykhoun is doing business as Immortal Model Management in Slovenia where Mr. Pignatelli also owns businesses and properties (see attached). My wife, Svetlana Shaykhoun is the sole proprietor. I am neither an officer or a co-owner of Immortal Model Management. I am merely helping my wife as a consultant.

I have reason to believe that this court lacks jurisdiction over this case because there is no complete diversity. Plaintiff alleges that he is a citizen of California but in a case from 2014 against his co-op board Mr. Pignatelli alleged that he had lived in New York City since 1992. I have visited Mr. Pignatelli in this same NYC apartment, his home in 2016 and I believe that he continues to reside there. I therefore request a motion that this case be dismissed for reason of Lack of Complete Diversity of Citizenship.

I attach a copy of the 2014 law suit as well as recent news article indicating that Mr. Pignatelli is a NYC Resident.

Thank you for your consideration in this case.

Yours truly,

Wally Shaykhoun

CC: Mark L. Cortegiano, Attorney at Law

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MR. SHAYKHOON W. WILL BE ASKED
TO MAKE A MOTION* TO DISMISS
WHICH INCLUDES THE BASES HE HAS
FOR DISMISSAL. WE CAN DISCUSS
FURTHER ON 3/22/17 @ 10:AM.
* IN WRITING, WITH CASE AUTHORITIES.

SO ORDERED:
Date: 3/15/17

Richard M. Berman
Richard M. Berman, U.S.D.J.